

PTQ2147

UNCLASSIFIED

V25

RELEASED IN FULL

UNCLASSIFIED PTQ2147

PAGE 01 USUN N 05415 082226Z
ACTION L-01

INFO	LOG-00	AF-01	AID-01	ARA-01	CIAE-00	C-01	OASY-00
	DODE-00	EAP-01	EUR-01	TEDE-00	INR-00	IO-16	JUSE-00
	ADS-00	NEA-01	NSAE-00	NSCE-00	OIC-02	P-01	SP-00
	SR-00	SSO-00	SS-00	SA-01	PRME-01	DRL-09	G-00
	/038W						

-----90DA89 082231Z /61

O 082224Z DEC 94
FM USMISSION USUN NEW YORK
TO SECSTATE WASHDC IMMEDIATE 1562
INFO USMISSION GENEVA PRIORITY
AMEMBASSY THE HAGUE PRIORITY
AMEMBASSY KIGALI PRIORITY

UNCLAS USUN NEW YORK 005415

WASH PASS L/UNA

E.O. 12356: N/A
TAGS: PREL, UNGA
SUBJECT: RWANDA TRIBUNAL

REF: USUN 5217

1. THE FOLLOWING LETTER WAS DISTRIBUTED TO MEMBERS OF
THE SECURITY COUNCIL ON 12/8.

BEGIN TEXT.

UNCLASSIFIED

UNCLASSIFIED

PAGE 02 USUN N 05415 082226Z
"SUMMARY OF THE PROPOSED PLAN FOR THE IMPLEMENTATION OF

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: JOHN S BLODGETT
DATE/CASE ID: 28 NOV 2006 200103014

UNCLASSIFIED

UNCLASSIFIED

SECURITY COUNCIL RESOLUTION 955 (1994)

1. BY RESOLUTION 955 (1994) OF 8 NOVEMBER 1994, THE SECURITY COUNCIL DECIDED TO ESTABLISH AN INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR GENOCIDE AND OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF RWANDA AND NEIGHBOURING STATES, BETWEEN 1 JANUARY 1994 AND 31 DECEMBER 1994.

2. THE PROPOSED PLAN FOR THE URGENT IMPLEMENTATION BY THE SECRETARY-GENERAL OF RESOLUTION 955 (1994) IS FOR THE ESTABLISHMENT OF THE INTERNATIONAL TRIBUNAL FOR RWANDA IN TWO PHASES. PHASE I WOULD INITIATE THE WORK OF THE TRIBUNAL IMMEDIATELY BY PROVIDING FOR INVESTIGATIONS AND THE PREPARATION OF INDICTMENTS. PHASE II WOULD CONCLUDE THE IMPLEMENTATION OF RESOLUTION 955 AND WOULD RESULT IN A FULLY-STAFFED AND OPERATIONAL TRIBUNAL.

3. PHASE I OF THE PROPOSED PLAN INVOLVES THREE ELEMENTS.

FIRST: THE ESTABLISHMENT OF AN INVESTIGATIVE AND PROSECUTORIAL UNIT, INCLUDING THE IMPORTANT SELECTION OF A DEPUTY PROSECUTOR TO BE APPOINTED BY THE SECRETARY-GENERAL. IT WOULD UTILIZE, WHERE POSSIBLE, THE EXPERIENCED INVESTIGATORS AND PROSECUTORS OF THE "SPECIAL INVESTIGATIONS UNIT" ESTABLISHED BY THE HIGH COMMISSIONER FOR HUMAN RIGHTS FOR RWANDA, STAFF OF THE PROSECUTOR'S OFFICE OF THE INTERNATIONAL TRIBUNAL FOR

UNCLASSIFIED

UNCLASSIFIED

PAGE 03 USUN N 05415 082226Z
THE FORMER YUGOSLAVIA AND GOVERNMENT-CONTRIBUTED PERSONNEL.

SECOND: THE ESTABLISHMENT OF A SMALL ADMINISTRATIVE UNIT WITH RESPONSIBILITY FOR PERSONNEL, FINANCE, AND GENERAL ADMINISTRATION.

THIRD: THE IDENTIFICATION OF MODEST OFFICE PREMISES IN RWANDA FOR THE INVESTIGATIVE AND PROSECUTORIAL UNIT.

UNCLASSIFIED

UNCLASSIFIED

4. IN THE MEANTIME, THE SECRETARIAT HAS ESTABLISHED A TRUST FUND TO ASSIST IN THE ACTIVITIES OF THE INTERNATIONAL TRIBUNAL FOR RWANDA AND PLEDGES HAVE BEEN RECEIVED FROM SOME GOVERNMENTS. THE OFFICE OF LEGAL AFFAIRS, IN CONSULTATION WITH THE PROSECUTOR, IS PREPARING A BUDGETARY SUBMISSION TO THE ACABQ FOR A COMMITMENT AUTHORITY FOR START-UP FUNDING (PENDING A FULL BUDGETARY SUBMISSION FOR THE FUNDING OF THE TRIBUNAL).

5. DURING PHASE I THE SECRETARIAT WILL ALSO:

I. PREPARE AN INITIAL REPORT TO THE SECURITY COUNCIL ON THE PRACTICAL IMPLEMENTATION OF RESOLUTION 955 (1994);

II. INITIATE THE PROCESS FOR THE ELECTION OF JUDGES, WHICH MAY BE POSTPONED UNTIL SUCH TIME AS THE SEAT OF THE TRIBUNAL IS DETERMINED AND THE PROSECUTOR'S OFFICE HAS COMMENCED OPERATION; AND

III. SUBMIT TO THE SECURITY COUNCIL A FURTHER REPORT

UNCLASSIFIED

UNCLASSIFIED

PAGE 04 USUN N 05415 082226Z
CONTAINING ITS RECOMMENDATIONS FOR POSSIBLE LOCATIONS FOR THE SEAT OF THE TRIBUNAL, ONCE A FULL ANALYSIS OF THIS QUESTION HAS BEEN COMPLETED.

6. IT IS ALSO ESSENTIAL THAT A DIALOGUE BE MAINTAINED WITH THE GOVERNMENT OF RWANDA TO OBTAIN ITS COOPERATION IN ALL PRACTICAL ASPECTS OF THE IMPLEMENTATION OF THE RESOLUTION." END TEXT.

7. MINIMIZE CONSIDERED.

ALBRIGHT

UNCLASSIFIED